

Shutesbury Conservation Commission Meeting Minutes
March 25, 2021 Virtual Meeting Platform

Conservation Commissioners present: Liam Cregan/Chair, Robin Harrington, Miriam DeFant, and, Mary David

Commissioner Recommended to the Select Board for appointment: Don Wakoluk

Staff present: Tessa Dowling/ Land Use Clerk

Guests: Erica Lerner, Janice Stone, Joseph Salvador, Rick Scott, Dan Nitzche

Cregan calls the meeting to order at 7:03pm.

Statement relative to conducting virtual meetings following the Governor's restrictions on public meetings is read into the record by Dowling.

Meeting Minutes

The Commission reviewed three sets of minutes from the meetings on 02.11.21, 02.15.21, and 03.11.21.

- At 7:05pm, Cregan moves and Harrington seconds a motion to accept the 02.11.21 meeting minutes. Roll call vote: David: aye DeFant: aye, Harrington: aye, and Cregan: aye; the motion carries.
- At 7:06pm, Cregan moves and David seconds a motion to accept the 02.15.21 meeting minutes. Roll call vote: David: aye DeFant: aye, Harrington: aye, and Cregan: aye; the motion carries.
- At 7:09, Cregan moves and Harrington seconds a motion to accept the 03.11.21 meeting minutes with the following amendments:
 - Adding that the Historical Commission will keep the Commission informed as the project to map historical features at South Brook Conservation Area develops.
 - Deleting the redundant words in the sections regarding the Kestrel Land Trust surveyRoll call vote: David: aye DeFant: aye, Harrington: aye, and Cregan: aye; the motion carries.

Public Hearing 31 Lakeview Rd/Salvador RDA

At 7:10pm, Cregan opens the hearing for the Request for Determination at 31 Lakeview Rd for a septic system replacement project. The landowner, Joe Salvador, and his engineer, Rick Scott, attended the meeting to represent the project. David, who visited the site, explained that the project involved a lot of digging so they asked for a silt erosion control fence to be placed at the top of the rise. The erosion control runs parallel to the Sawmill River.

Cregan asks what replanting Salvador will do once the new septic system is in place?

Per Salvador, trees cannot be planted by the leach field so vegetation would be planted on the other side of the house. He is thinking of plants that stay green through the winter such as mountain laurel and hemlock.

Per Wakoluk, hemlocks can be pruned so they act like shrubs.

Wakoluk recommends that the areas disturbed by the new septic system are replanted with a native conservation seed mix because the highway department seed mix could include invasive Kentucky bluegrass. The Commission will specify the type of seed mix in the Determination special conditions. Scott emails an electronic copy of the site plan to the Commission email address and Dowling screen shares the plan.

The Commission, Stone, Salvador, and Scott discuss the driveway pictured in the plan. Per Salvador, pea stones may be added to the driveway and the parking area location may be modified due to new septic system. The Commission would require a separate Request for Determination for changes to the driveway as they were not part of the current project.

Stone asks if the property falls under state Natural Heritage endangered species habitat and Dowling says no as she checked on Mass GIS OLIVER.

Cregan asks Salvador about the restoration plan required due to the Enforcement Order concerning the tree cutting on the property.

Scott says Salvador can use the septic system site plan and overlay the restoration plantings on that map. Salvador will reach out the Commission in late April with a draft of the restoration plan.

- At 7:29pm, Cregan moves and David seconds a motion to close the public hearing for the RDA at 31 Lakeview Rd. Roll call vote: David: aye DeFant: aye, Harrington: aye, and Cregan: aye; the motion carries.

Continued Public Hearing for ANRAD at Lot H-151/Wightman

At 7:30pm, Cregan opened the continued hearing for the Abbreviated Notice of Resource Area Delineation (wetland mapping) at Lot H-151.

Commission members are invited to the peer-review site visit on March 31, 2021. Emily Stockman is the peer-reviewer and Dan , Dan Nitzsche will be there to represent the landowner. The hearing will be continued to accommodate time for the peer-review process.

- At 7:33pm, DeFant moves and Harrington seconds a motion to continue the public hearing for ANRAD at Lot H-151 to April 8, 2021 at 8:05pm. Roll call vote: David: aye DeFant: aye, Harrington: aye, and Cregan: aye; the motion carries.

Belchertown Solar Resources/ Erica Larner

Erica Larner, the Belchertown Wetlands Administrator, reached out the Commission because Belchertown has gone through a large solar project and she has related resources to share.

Larner will share a link to the Belchertown Google Drive folder that contains solar resources. Larner recommends that if a solar project Notice of Intent comes in that the Commission hire a peer reviewer to assess how the project will impact the movement of stormwater. Belchertown hired David Partridge from Tighe & Bond as their stormwater peer reviewer.

DeFant asks for guidance on locating solar arrays in relation to the slope of the land due to potential stormwater issues.

Larner recommends that solar arrays are placed on slopes with less than a 15% grade. She adds that the MA Department of Environmental Protection (DEP) regulates solar arrays as pervious surfaces because there are spaces for water to infiltrate between the arrays. Belchertown found it helpful to read the Maryland DEP guidance on solar functions and can share this document with the Commission.

Per Larner, if sediment on a solar array site impacts a wetlands resource area, then the Commission has jurisdiction over that area.

Larner invites the Commission to send her questions if solar projects come in front of the Commission.

Cregan and DeFant bring up the issue that annual monitoring reports were required as part of the Wheelock solar project, but none have been delivered. Dowling will e-mail the Chair of the Planning Board and ask that the Wheelock reports be on the next agenda.

DeFant asks Stone, the South Hadley Conservation Agent, if Hadley uses an environmental monitor for their solar sites? Stone replies that Hadley hired an independent peer reviewer to monitor the properties. If Shutesbury hires a reviewer they should have water and erosion licenses.

Site Visit Scheduling

The following site visits were scheduled:

- 5 Cove Rd tree cutting on March 26, 2021
- 32 Lake Dr. erosion control pre-construction site visit on March 30, 2021 at 5pm
- Pratt South ANRAD peer review site visit on April 7, 2021

- 12 Wyola Dr Certificate of Compliance and Retreat Center tree cutting on April 7, 2021 at 5pm
- South Brook Conservation Area trail network visit on May 2, 2021 at 1pm

31 Lakeview Rd/Salvador Determination of Applicability

As the Commission has visited the site recently and the erosion control is in place, the Commission did not require a pre-construction site visit as a special condition.

Dowling screen shared the Determination and the drafted list of special conditions. The Commission reviewed the permit, adding the native seed mix condition.

- At 9:11pm, Cregan moves and DeFant seconds a motion to approve the Determination of Applicability for 31 Lakeview Rd. Roll call vote: David: aye DeFant: aye, Harrington: aye, and Cregan: aye; the motion carries.

National Grid Maintenance update

A letter from National Grid informs the Commission that maintenance in the utility right of way will begin in April 2021. The work will mostly be above ground and is exempt under the Wetlands Protection Act.

Unanticipated Business: Commission Appointment

Cregan sent an email to the Select Board on March 15, 2021 explaining that the Commission had voted to appoint Don Wakoluk to fill the Commission vacancy. The item did not make it on the agenda for the Select Board meeting so the appointment was discussed but not voted on at the Select Board meeting. Dowling will send an email to the Select Board confirming the vote and including the approved minutes that record the appointment vote.

Other Agenda Items

Discussions on the ESRI software, ANRAD policies, and Wetland Bylaws are moved to a future meeting.

- At 9:12pm, Cregan moves and Harrington seconds a motion to adjourn the meeting. Roll call vote: David: aye, DeFant: aye, Harrington: aye, and Cregan: aye; the motion carries.

Respectfully submitted,
Tessa Dowling
Land Use Clerk